

REMARKS

Summary of the Official Action

In the Office Action, the Examiner has rejected Claims 1, 3-5, 12, 14 and 15 under 35 U.S.C. §102(b) as being anticipated by Applicant's admitted prior art in Figure 1C. The Examiner has also rejected Claims 7 and 16-18 under 35 U.S.C. Section 103(a) as being unpatentable over Applicant's admitted prior art Figure 1C, in view of the Steinke et al. reference. Importantly, the Examiner has objected to Claims 2, 6, 8-11, 13, 19 and 20 as being dependent upon a rejected base claim, but has indicated that such claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Summary of the Amendment

By this amendment, Applicant proposes to amend Claims 1, 12, 14 and 20 to clarify the invention and incorporate subject matter which is believed to be allowable over the relevant prior art references cited thereagainst. The proposed amendments are not believed to necessitate further searching. It is respectfully submitted that all presently pending claims are in condition for allowance.

Objections to Claims 1 and 20 - Informality

The Examiner objected to Claim 1 indicating that in line 12, the word "each" should be deleted. In addition, the Examiner objected to Claim 20 indicating that in line 2 thereof, the phrase "of the volume booster" should be inserted after the word "restrictions."

By this amendment, Applicant has corrected such informalities such that the objections to Claims 1 and 20 are believed to be overcome.

Rejection of Independent Claims 1 and 12 Under 35 U.S.C. §102(b)

The Examiner rejected Claims 1, 3-5, 12, 14 and 15 under 35 U.S.C. §102(b) as being anticipated by applicant's prior art Figure 1c. The Examiner indicates that Figure 1c discloses an actuator system with a cylinder, a compressed air source, a positioner, first and second valving modules, first and second volume boosters, first and second derivative boosters, first and second commutators, a safety valve, a volume tank, a volume tank check valve, a first adjustable restriction, and a second adjustable restriction. Applicant wishes to point out that in the pneumatic circuit shown in Figure 1c, the volume tank is fluidly interconnected between the compressed air source and the positioner.

By this amendment, Applicant has amended Claim 1 to recite that the "volume tank [is] fluidly connecting the compressed air source to the first and second derivative boosters and configured to provide compressed air directly to each one of the first and second derivative boosters" as is shown in Figures 2, 3 and 4. Likewise, Claim 12 has been amended to recite that the "volume tank [is] fluidly connected directly to the derivative booster and configured to provide compressed air directly thereto upon energization of the commutator."

Applicant submits that amended Claims 1 and 12 distinguish over prior art Figure 1c. More specifically, the volume tank in the prior art Figure 1c is not directly fluidly connected to the first and second derivative boosters. Even further, prior art Figure 1c illustrates that the volume tank is fluidly interconnected between the compressed air source and the safety valve. Therefore, prior art Figure 1c fails to teach that the volume tank is directly connected to the first and second derivative boosters.

Therefore, Applicant respectfully submits that amended independent Claims 1 and 12 are clearly distinguished from the prior art Figure 1c. Claims 1 and 12 are therefore believed to be allowable over the cited reference, namely, prior art Figure 1c. In addition, the claims depending from Claim 1, namely Claims 2-11, are also believed to be patentable over the cited reference. Likewise, the claims depending from Claim 12, namely Claims 13-20, are also believed to be patentable over the cited reference.

Rejection of Claims 7, 16-18 Under 35 U.S.C. §103(a)

In the Office Action, the Examiner rejected Claims 7 and 16-18 under 35 U.S.C. §103(a) as being unpatentable over Applicant's admitted prior art Figure 1c in view of Steinke et al. (6,802,242). The Examiner indicates that Figure 1c discloses all of the claimed subject matter further including the first adjustable restriction for the first volume booster, but that Figure 1c does not disclose the first and second adjustable restrictions of the derivative boosters being needle valves, and a first check valve for the first volume booster.

The Examiner indicates that Steinke et al. teaches an actuator system having a cylinder, a compressed air source, a positioner, first and second valving modules, first and second volume boosters, a first adjustable restriction and further including a first check valve for the volume boosters and the first adjustable restriction being a needle valve for the purpose of regulating the sensitivity of the boosters. The Examiner indicates that it would have been obvious at the time of the invention to modify the system of Figure 1c based on the teachings of Steinke et al. to include a first check valve for the volume boosters and the first and second adjustable restrictions being needle valves.

As was discussed above, amended independent Claims 1 and 12 of the present application include the limitation of the volume tank fluidly connecting the compressed air source to the first and second derivative boosters such that compressed air may be directly provided thereto upon energization of the first and second commutators. Applicant respectfully submits that Steinke et al. fails to teach the specific positioning of the volume tank within a pneumatic circuit. More specifically, Steinke et al. fails to teach that the volume tank is directly connected to the first and second derivative boosters such that compressed air may be directly provided to each one of the first and second derivative boosters upon energization of the first and second commutators.

Applicant respectfully submits that because prior art Figure 1c and Steinke et al., individually or in combination, fail to teach each and every element as claimed in amended independent Claims 1 and 12, a *prima facie* case of obviousness is not established. Therefore, Applicant believes that the rejections of amended Claims 1 and 12 with respect to 35 U.S.C. §103(a) are now overcome.

Attorney Docket No.: CCIOO-046A
Serial No.: 10/724,646

Conclusion

In view of the foregoing, the application is believed to be in condition for allowance. Entry of the amendments and issuance of a Notice of Allowance is therefore respectfully requested. Should the Examiner have any suggestions for expediting allowance of the application, please contact Applicant's representative at the telephone number listed below.

If any additional fee is due, please charge deposit account 19-4330.

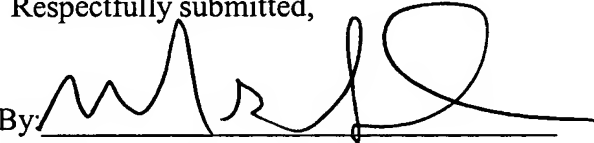
Date:

4/26/05

Customer No.: 007663

Respectfully submitted,

By:



Mark B. Garred

Registration No. 34,823

STETINA BRUNDA GARRED & BRUCKER

75 Enterprise, Suite 250

Aliso Viejo, California 92656

Telephone: (949) 855-1246